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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 59/85**of 9 January 1985****on the conclusion of an Arrangement with the United States of America
concerning trade in steel pipes and tubes**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the United States has taken a series of measures affecting Community exports of steel pipes and tubes;

Whereas the Commission carried on negotiations with the United States of America, culminating on 7 January 1985 in an Arrangement whereby Community exports of steel pipes and tubes would, in certain circumstances, be restricted;

Whereas the Arrangement will make it possible to safeguard the essential interests of Community producers exporting steel pipes and tubes to the United States market,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Arrangement with the United States of America concerning trade in steel pipes and tubes, to be concluded in the form of an exchange of letters, is hereby approved on behalf of the European Economic Community.

2. The text of the Arrangement in the form of an exchange of letters is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to implement the exchange of letters for the purpose of binding the European Economic Community.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1985.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 January 1985.

For the Council

The President

G. ANDREOTTI

ARRANGEMENT

**in the form of an exchange of letters with the United States of America
concerning trade in steel pipes and tubes**

LETTER No 1*A. Letter from the European Economic Community*

Sir,

In the course of the discussions between the European Economic Community (hereinafter referred to as 'the EEC') and the Government of the United States of America (hereinafter referred to as the US'), concerning EEC exports of pipes and tubes to the United States of America (hereinafter referred to as 'the USA'), both parties have agreed as follows:

1. The EEC shall restrain exports to, or destined for consumption in, the USA of steel pipes and tubes described in Annex A, originating in the Community (such exports hereinafter referred to as 'pipes and tubes') to a level of 7,6 % of US apparent consumption for calendar years 1985 and 1986. During this period, export licences shall be required for pipes and tubes.

For the purpose of this Arrangement, 'US apparent consumption' shall mean shipments (deliveries) minus exports plus imports.

2. Within the limit set in Section 1, EEC exports of oil country tubular goods (OCTG) as described in Annex A, shall not exceed 10 % of US apparent consumption of oil country tubular goods.

3. (a) Where pipes and tubes imported into the USA are subsequently re-exported therefrom, without having been subject to substantial transformation, the export limit for such products for the calendar year corresponding to the time of such re-export shall be increased by the same amount upon presentation of documentation of such re-export.

(b) For the purposes of this Arrangement, the USA shall comprise both the customs territory of the United States and US foreign trade zones. In consequence, the entry into the customs territory of the United States of pipes and tubes which have already entered into a US foreign trade zone shall not be again taken into account.

4. The US, with the advice of the EEC, will select an independent and objective forecaster which will provide the estimate of US apparent consumption for the purpose of this Arrangement.

For 1985 a first projection of US apparent consumption will be established. These figures for projected consumption will then be revised in February, May, August and October 1985, by the said independent forecaster, and appropriate adjustments will be made to the export limits for pipes and tubes on the basis of these revisions, taking into account licences already issued. The same procedure will be followed to calculate and revise the US apparent consumption and export limits for 1986, the first projection being established by the independent forecaster by 1 October 1985, and subsequently in February, May, August and October 1986.

By March 1986, adjustments to the 1986 export limits will be made for differences between the forecasted US apparent consumption and actual US apparent consumption in 1985.

5. (a) Pipes and tubes exported to the USA after 31 December 1984 must be counted against the export limit for 1985 or 1986, as appropriate.

(b) For pipes and tubes which were exported prior to 1 January 1985 but which were not entered, or withdrawn from a warehouse or a foreign trade zone, for consumption before 29 November 1984:

(1) the US will permit entry, under appropriate procedures, of 60 000 net tonnes of pipes and tubes, of which not more than 28 000 net tonnes will be oil country tubular goods; and

- (2) for all other such pipes and tubes, consultations shall be entered into on or before 1 February 1985 to examine the causes of the situation and to determine within 60 days whether entries, or withdrawals from warehouse, for consumption of such other pipes and tubes shall be permitted and how such entries will be subject to and accounted for under the limit, sub-limit, or other provisions of this Arrangement.
6. (a) Export licences will be issued against the export limit for a specific calendar year. Export licences for 1986 may be used as early as 1 December 1985 up to 8 % of the export limit for 1986. Export licences must be used before 31 December of the year for which they are issued, except that 1985 licences not so used may be used during the first two months of 1986 up to 8 % of the export limit for 1985.
- (b) The limit provided for in Section 1 and the sub-limit provided for in Section 2, may be adjusted by the EEC with prior notice to the US. Adjustments to increase or decrease the limit or sub-limit must be offset by an equivalent volume change in the limit or sub-limit or in one or more export ceilings established under the EEC/US Arrangement on certain steel products of 21 October 1982. No adjustment may be made which results in an increase or a decrease of the limit provided for in Section 1, the sub-limit provided for in Section 2, or any export ceiling under such 1982 Arrangement by more than 5 % by volume for the relevant period. The EEC and the US may agree to increase this percentage limit.
- (c) Normally, only one change on a limit, sub-limit or ceiling may be made by an adjustment under this section. Accordingly, more than one such change in a given year may be made only upon agreement between the EEC and the US.
7. By Regulations to be published in the *Official Journal of the European Communities*, the EEC will require an export licence for pipes and tubes described in Annex A. Such export licences will be issued in a manner that will avoid abnormal concentration in exports of pipes and tubes to the USA, taking into account seasonal trade patterns. The EEC shall take such action, including the imposition of penalties, as may be necessary to make effective the obligations resulting from the export licences. The EEC will inform the US of any violations concerning the export licences which come to its attention and the action taken with respect thereto.
- Export licences will provide that shipment must be made within a period of three months.
- The EEC will require that pipes and tubes shall be accompanied by a certificate, substantially in the form set out in Annex B, endorsed in relation to such a licence. The US shall require presentation of such certificate as a condition for entry into the USA of the pipes and tubes. The US shall prohibit entry of such pipes and tubes not accompanied by such a certificate.
8. The US shall accept exports of pipes and tubes in addition to those permitted under Sections 1 and 2 where a shortage of supply is identified, i.e. where the US industry is unable to meet demand in the USA for a particular product. At the request of the EEC, on the basis of information received from US consumers, consultations shall take place between the EEC and the US authorities. If necessary, the advice of an independent expert may be sought by either party. The US shall make a decision under this section on the basis of objective evidence from all relevant sources within a maximum of 60 days from the date of the request for consultations. The US recognizes that priority should be given to the examination, under the 'short-supply' provisions of this Arrangement, of requests concerning contracts recognized to have been already concluded between USA and EEC enterprises and which are in course of execution in connection with large projects.
9. (a) The EEC will, within one month after the end of each calendar quarter, or upon request, supply the US with such non-confidential information on all export licences and certificates issued for pipes and tubes and actions taken with respect to violations of this Arrangement.
- (b) The US will collect and transmit quarterly, or upon request, to the EEC all non-confidential information relating to certificates received during the preceding quarter in respect to pipes and tubes, and relating to actions taken in respect to such products for violation of customs laws.

10. Quarterly consultations shall take place between the EEC and the US on any matter arising out of the operation of this Arrangement. Consultations shall be held at any other time at the request of either the EEC or the US. If imports of a product within a limit or sub-limit significantly increase, relatively or absolutely and in relation to US apparent consumption, so as to disturb traditional patterns of trade, consultations shall be held upon request in order to find an appropriate solution.

11. It is understood that this Arrangement has been agreed to in the context of the US national policy for the steel industry as defined in the Presidential decision of 18 September 1984. If an arrangement with a third country which is a major exporter of pipe and tube products to the USA provides for more favourable terms than those defined in this Arrangement, in particular in relation to market share and duration, the EEC may request consultations with the US. Consultations will also be held if there are indications that imports from third countries of pipe and tube products are displacing imports from the EEC.

12. A special consultation will be held in October 1985 in order to review the implementation of this Arrangement in the global context of the US steel programme, as well as the relative share of the EEC in the burden of the overall limitation of imports.

13. If, during the period in which the Arrangement is in effect, any petition seeking import relief under US law, including the countervailing duty laws, anti-dumping laws, Section 337 of the Tariff Act of 1930, Section 201 of the Trade Act of 1974, Section 301 of the Trade Act of 1974 (other than Section 301 petitions relating to third country sales by US exporters), or Section 232 of the Trade Expansion Act of 1962, is filed or investigations initiated or litigation (including anti-trust litigation) instituted with respect to pipes and tubes, the EEC shall be entitled to terminate the Arrangement with respect to some or all of the pipes and tubes after consultation with the US, at the earliest 15 days after such consultations.

14. This Arrangement shall apply to the US customs territory (except as otherwise provided in Section 3) and to the territories to which the Treaty establishing the EEC as presently constituted applies on the conditions laid down in that Treaty.

I hereby confirm the agreement of the EEC to the foregoing. I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

B. Letter from the United States of America

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'In the course of the discussions between the European Economic Community (hereinafter referred to as 'the EEC') and the Government of the United States of America (hereinafter referred to as 'the US'), concerning EEC exports of pipes and tubes to the United States of America (hereinafter referred to as 'the USA'), both parties have agreed as follows :

1. The EEC shall restrain exports to, or destined for consumption in, the USA of steel pipes and tubes described in Annex A, originating in the Community (such exports hereinafter referred to as 'pipes and tubes') to a level of 7,6 % of US apparent consumption for calendar years 1985 and 1986. During this period, export licences shall be required for pipes and tubes.

For the purpose of this Arrangement 'US apparent consumption' shall mean shipments (deliveries) minus exports plus imports.

2. Within the limit set in Section 1, EEC exports of oil country tubular goods (OCTG) as described in Annex A, shall not exceed 10 % of US apparent consumption of oil country tubular goods.

3. (a) Where pipes and tubes imported into the USA are subsequently re-exported therefrom, without having been subject to substantial transformation, the export limit for such products for the calendar year corresponding to the time of such re-export shall be increased by the same amount upon presentation of documentation of such re-export.

(b) For the purposes of this Arrangement, the USA shall comprise both the customs territory of the United States and US foreign trade zones. In consequence, the entry into the customs territory of the United States of pipes and tubes which have already entered into a US foreign trade zone shall not be again taken into account.

4. The US, with the advice of the EEC, will select an independent and objective forecaster which will provide the estimate of US apparent consumption for the purposes of this Arrangement.

For 1985 a first projection of US apparent consumption will be established. These figures for projected consumption will then be revised in February, May, August and October 1985, by the said independent forecaster, and appropriate adjustments will be made to the export limits for pipes and tubes on the basis of these revisions, taking into account licences already issued. The same procedure will be followed to calculate and revise the US apparent consumption and export limits for 1986, the first projection being established by the independent forecaster by 1 October 1985, and subsequently in February, May, August and October 1986.

By March 1986, adjustments to the 1986 export limits will be made for differences between the forecasted US apparent consumption and actual US apparent consumption in 1985.

5. (a) Pipes and tubes exported to the USA after 31 December 1984 must be counted against the export limit for 1985 or 1986, as appropriate.

(b) For pipes and tubes which were exported prior to 1 January 1985 but which were not entered, or withdrawn from a warehouse or a foreign trade zone, for consumption before 29 November 1984 :

- (1) the US will permit entry, under appropriate procedures, of 60 000 net tonnes of pipes and tubes, of which not more than 28 000 net tonnes will be oil country tubular goods; and
 - (2) for all other such pipes and tubes, consultations shall be entered into on or before 1 February 1985 to examine the causes of the situation and to determine within 60 days whether entries, or withdrawals from warehouse, for consumption of such other pipes and tubes shall be permitted and how such entries will be subject to and accounted for under the limit, sub-limit, or other provisions of this Arrangement.
6. (a) Export licences will be issued against the export limit for a specific calendar year. Export licences for 1986 may be used as early as 1 December 1985 up to 8 % of the export limit for 1986. Export licences must be used before 31 December of the year for which they are issued, except that 1985 licences not so used may be used during the first two months of 1986 up to 8 % of the export limit for 1985.
- (b) The limit provided for in Section 1 and the sub-limit provided for in Section 2, may be adjusted by the EEC with prior notice to the US. Adjustments to increase or decrease the limit or sub-limit must be offset by an equivalent volume change in the limit or sub-limit or in one or more export ceilings established under the EEC/US Arrangement on certain steel products of 21 October 1982. No adjustment may be made which results in an increase or a decrease of the limit provided for in Section 1, the sub-limit provided for in Section 2, or any export ceiling under such 1982 Arrangement by more than 5 % by volume for the relevant period. The EEC and the US may agree to increase this percentage limit.
- (c) Normally, only one change in a limit, sub-limit or ceiling may be made by an adjustment under this section. Accordingly, more than one such change in a given year may be made only upon agreement between the EEC and the US.
7. By Regulations to be published in the *Official Journal of the European Communities*, the EEC will require an export licence for pipes and tubes described in Annex A. Such export licences will be issued in a manner that will avoid abnormal concentration in exports of pipes and tubes to the USA, taking into account seasonal trade patterns. The EEC shall take such action, including the imposition of penalties, as may be necessary to make effective the obligations resulting from the export licences. The EEC will inform the US of any violations concerning the export licences which come to its attention and the action taken with respect thereto.

Export licences will provide that shipment must be made within a period of three months.

The EEC will require that pipes and tubes shall be accompanied by a certificate, substantially in the form set out in Annex B, endorsed in relation to such a licence. The US shall require presentation of such certificate as a condition for entry into the USA of the pipes and tubes. The US shall prohibit entry of such pipes and tubes not accompanied by such a certificate.

8. The US shall accept exports of pipes and tubes in addition to those permitted under Sections 1 and 2 where a shortage of supply is identified, i.e. where the US industry is unable to meet demand in the USA for a particular product. At the request of the EEC, on the basis of information received from US consumers, consultations shall take place between the EEC and the US authorities. If necessary, the advice of an independent expert may be sought by either party. The US shall make a decision under this section on the basis of objective evidence from all relevant sources within a maximum of 60 days from the date of the request for consultations.

The US recognizes that priority should be given to the examination, under the 'short-supply' provisions of this Arrangement, of requests concerning contracts recognized to have been already concluded between USA and EEC enterprises and which are in course of execution in connection with large projects.

9. (a) The EEC will, within one month after the end of each calendar quarter, or upon request, supply the US with such non-confidential information on all export licences and certificates issued for pipes and tubes and actions taken with respect to violations of this Arrangement.
- (b) The US will collect and transmit quarterly, or upon request, to the EEC all non-confidential information relating to certificates received during the preceding quarter in respect to pipes and tubes, and relating to actions taken in respect to such products for violation of customs laws.

10. Quarterly consultations shall take place between the EEC and the US on any matter arising out of the operation of this Arrangement. Consultations shall be held at any other time at the request of either the EEC or the US. If imports of a product within a limit or sub-limit significantly increase, relatively or absolutely and in relation to US apparent consumption, so as to disturb traditional patterns of trade, consultations shall be held upon request in order to find an appropriate solution.

11. It is understood that this Arrangement has been agreed to in the context of the US national policy for the steel industry as defined in the Presidential decision of 18 September 1984. If an arrangement with a third country which is a major exporter of pipe and tube products to the USA provides for more favourable terms than those defined in this Arrangement, in particular in relation to market share and duration, the EEC may request consultations with the US.

Consultations will also be held if there are indications that imports from third countries of pipe and tube products are displacing imports from the EEC.

12. A special consultation will be held in October 1985 in order to review the implementation of this Arrangement in the global context of the US steel programme, as well as the relative share of the EEC in the burden of the overall limitation of imports.

13. If, during the period in which the Arrangement is in effect, any petition seeking import relief under US law, including the countervailing duty laws, anti-dumping laws, Section 337 of the Tariff Act of 1930, Section 201 of the Trade Act of 1974, Section 301 of the Trade Act of 1974 (other than Section 301 petitions relating to third country sales by US exporters), or Section 232 of the Trade Expansion Act of 1962, is filed or investigations initiated or litigation (including anti-trust litigation) instituted with respect to pipes and tubes, the EEC shall be entitled to terminate the Arrangement with respect to some or all of the pipes and tubes after consultation with the US, at the earliest 15 days after such consultations.

14. This Arrangement shall apply to the US customs territory (except as otherwise provided in Section 3) and to the territories to which the Treaty establishing the EEC as presently constituted applies on the conditions laid down in that Treaty.

I hereby confirm the agreement of the EEC to the foregoing. I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

Please accept, Sir, the assurance of my highest consideration.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the United States of America*

LETTER No 2

A. Letter from the United States of America

Sir,

The US Government recognizes that the volumes of pipes and tubes exported before 1 January 1985 but which were not entered, or withdrawn from warehouse or a foreign trade zone, for consumption before 29 November 1984, attributable to individual Member States may not be consistent with the burden-sharing agreed to for Member States under the Arrangement. The US Government understands that the EEC agrees that such quantities of pipes and tubes will be permitted entry under Section 5 (b) of the Arrangement if they are covered by a special issue of *ad hoc* EEC export licences and certificates implementing such burden-sharing. The EEC shall issue such licences and certificates promptly. To the extent any amount of such pipes and tubes is entered under Section 5 (b) (2) of the Arrangement and is subject to the limit under Section 1 or sub-limit under Section 2, the EEC shall reduce the volume covered by licences for export in 1985 or 1986, accordingly. The EEC shall promptly provide the US with such information as may be necessary to document such reduction for the corresponding consumption under Section 5 (b) (2).

*For the Government of
the United States of America*

B. Letter from the European Economic Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'The US Government recognizes that the volumes of pipes and tubes exported before 1 January 1985 but which were not entered, or withdrawn from warehouse or a foreign trade zone, for consumption before 29 November 1984, attributable to individual Member States may not be consistent with the burden-sharing agreed to for Member States under the Arrangement. The US Government understands that the EEC agrees that such quantities of pipes and tubes will be permitted entry under Section 5 (b) of the Arrangement if they are covered by a special issue of *ad hoc* EEC export licences and certificates implementing such burden-sharing. The EEC shall issue such licences and certificates promptly. To the extent any amount of such pipes and tubes is entered under Section 5 (b) (2) of the Arrangement and is subject to the limit under Section 1 or sub-limit under Section 2, the EEC shall reduce the volume covered by licences for export in 1985 or 1986, accordingly. The EEC shall promptly provide the US with such information as may be necessary to document such reduction for the corresponding consumption under Section 5 (b) (2).'

I have the honour to confirm the agreement of the Community to the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

ANNEX A

LIST OF PRODUCTS

PIPES AND TUBES OTHER THAN OCTG				PIPES OCTG	
NIMEXE code	TS USA code	NIMEXE code	TS USA code	NIMEXE code	TS USA code
73.18-01	610.3000	73.19-10	610.4045	73.18-23 (*)	610.3216
73.18-05	610.3100	73.19-30	610.4055	73.18-24 (*)	610.3219
73.18-13	610.3205	73.19-50	610.4245	73.18-42	610.3233
73.18-15	610.3208	73.19-90	610.4255	73.18-67 (*)	610.3249
73.18-21	610.3209		610.4345	73.18-72 (*)	610.3252 (*)
73.18-22	610.3212		610.4355	84.23-25 (*)	610.3256
73.18-23 (*)	610.3213		610.4500		610.3258 (*)
73.18-24 (*)	610.3221		610.4600		610.3721
73.18-26 (*)	610.3227		610.4920		610.3722
73.18-27 (*)	610.3231		610.4925		610.3925
73.18-28 (*)	610.3234		610.4928		610.3935
73.18-32 (*)	610.3241		610.4931		610.4025
73.18-34 (*)	610.3242		610.4933		610.4035
73.18-36 (*)	610.3243		610.4936		610.4225
73.18-38	610.3252 (*)		610.4948		610.4235
73.18-41	610.3254		610.4951		610.4325
73.18-44	610.3258 (*)		610.4953		610.4335
73.18-46	610.3262		610.4955 (*)		610.4942
73.18-48	610.3264		610.4956 (*)		610.4944
73.18-51	610.3500		610.4957 (*)		610.4946
73.18-52	610.3600		610.4966 (*)		610.4954
73.18-54	610.3701		610.4967 (*)		610.4955 (*)
73.18-56 (*)	610.3704		610.4968 (*)		610.4956 (*)
73.18-58	610.3711		610.4969 (*)		610.4957 (*)
73.18-62 (*)	610.3712		610.4970 (*)		610.4966 (*)
73.18-64	610.3713		610.4976		610.4967 (*)
73.18-66	610.3727		610.5202		610.4968 (*)
73.18-67 (*)	610.3728		610.5204		610.4969 (*)
73.18-68	610.3731		610.5206		610.4970 (*)
73.18-72 (*)	610.3732		610.5209		610.5221 (*)
73.18-74 (*)	610.3741		610.5211		610.5222
73.18-76	610.3742		610.5214		610.5226
73.18-78	610.3751		610.5216		610.5240
73.18-82 (*)	610.3945		610.5229		610.5242
73.18-84 (*)	610.3955		610.5230		610.5243
73.18-97			610.5231		610.5244 (*)
73.18-99			610.5234		
			610.5236		
			610.524292		
			610.524492		
(*) Plastic covered pipes and tubes for district heating systems covered by TS USA codes other than those indicated are excluded.		(*) Excluded if OCTG.		(*) Covered if OCTG.	
(*) Excluded if OCTG.					

NOTES

- 5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products**

6 Quantity (metric tonnes)7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3 ☐ to the extract shown in box no 4. *)

Customs export document:

Signature: _____

Stamp:

type:

number:

date :

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

COUNCIL REGULATION (EEC) No 60/85

of 9 January 1985

on the restriction of exports of steel pipes and tubes to the United States of America

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has concluded an Arrangement⁽¹⁾, hereinafter referred to as 'the Arrangement', with the United States of America under which exports to the United States of certain steel pipes and tubes originating in the Community are to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these products exported to the United States;

Whereas, in accordance with the Arrangement, the export restrictions cover steel pipes and tubes originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽²⁾, as last amended by the 1979 Act of Accession;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States, whereas, in order to do so, an allocation method must be established, whereas, thereafter the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way, would seem to be in keeping with the Community nature of these limits;

Whereas the allocation among the Member States of the total export possibilities which the Arrangement affords should take account of traditional trade patterns;

Whereas measures must be taken to avoid abnormal concentration at certain times of exports to the United States;

Whereas, in order to keep a check on exports, a system of export licences and certificates should be introduced;

Whereas it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel pipes and tubes within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between undertakings producing steel pipes and tubes but also by undertakings producing steel pipes and tubes to distributive undertakings, in particular where the undertakings producing steel pipes and tubes decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a procedure establishing close cooperation between the Member States and the Commission within a committee; whereas it is sufficient for this purpose to apply the procedure set up in Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community export limits are hereby established for the period 1 January 1985 to 31 December 1986 for exports effected after 31 December 1984 from the Community to the United States of America (hereinafter referred to as 'the United States') of the steel pipes and tubes originating in the Community which are listed in Annex I.

For the purposes of this Regulation, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

⁽¹⁾ See page 2 of this Official Journal.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 124, 8. 6. 1970, p. 1.

2. The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. The Community export limit for steel tubes and pipes is hereby fixed at 7,6 % of United States apparent consumption.

In the case of what are termed OCTG tubes, as referred to in Annex I, the Community limit, forming part of the overall limit for steel pipes and tubes, is hereby fixed at 10 % of apparent consumption of these tubes in the United States.

The limits shall be calculated by the Commission on the basis of the level of apparent consumption of these products in the United States, as laid down in the Arrangement.

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted by the Commission after consulting the Arrangement Committee :

- for advance use or carry-over of licences,
- to enable transfers to be made between on the one hand the products covered by this Regulation and on the other those covered by Regulation (EEC) No 2870/82 ⁽¹⁾ and by Decision 2872/82/ECSC ⁽²⁾,
under the conditions provided for in the Arrangement.

Article 3

1. The Community quantitative export limits established and calculated pursuant to the method set out in Article 2 shall be allocated for 1985 and 1986 by the Commission in accordance with Annex III.

2. The Commission shall hold regular consultations with the Arrangement Committee set up by Decision 84/59/ECSC, EEC ⁽³⁾ on the situation regarding licences issued and on the measures to be taken with a view to ensuring the best use of the overall limit.

Article 4

Member States shall transfer to a Community reserve within the first eight days of the third month of each quarter the fraction of the allocation for which they did not issue licences. The Commission shall allot this

Community reserve, after consultation of the Arrangement Committee, to one or more Member States to the extent that the best use of the quantitative export limits or possible problems in administering the system call for the allocation to be adjusted.

The Commission may establish the technical conditions upon which licences are to be issued by the Member States in respect of such additional allocations.

Article 5

1. The Community exports described in Article 1 shall, from 1 January 1985 to 31 December 1986, be subject to the production to the competent Community customs office where the export formalities are carried out of an export licence and an export certificate. The export licences shall be issued by the competent authorities of each Member State within the limits of the amounts allocated to it pursuant to Article 3.

Member States shall fix for each quarter the amounts for which they anticipate that licences will be issued for all steel pipes and tubes on the one hand and for OCTG on the other; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licences for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade in each product category. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 65 % of their allocations for each calendar year.

Member States may, subject to the second subparagraph, issue further licences in 1985 and 1986 respectively, in respect of the unused part of licences issued which have been returned to their competent authorities in 1985 or in 1986.

2. Licences shall be issued according to the following criteria :

- compliance with the rules prescribed by this Regulation, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings taking account of the reduction principles established by this Regulation and possibly the situation of new producers of pipes and tubes,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- optimum use and administration of the export possibilities afforded by this Regulation,
- best use being made of any new possibilities provided for, where appropriate, by this Regulation.

⁽¹⁾ OJ No L 307, 1. 11. 1982, p. 3.

⁽²⁾ OJ No L 307, 1. 11. 1982, p. 27.

⁽³⁾ OJ No L 35, 7. 2. 1984, p. 23.

Each licence shall indicate the undertaking engaged in the production of steel pipes and tubes in the Community, and established in the issuing Member State that is holding the allocation against which the licence is issued.

3. Any licence issued in excess of limits laid down in Article 3 shall be automatically void.

4. Transfers of export licences between undertakings producing steel tubes and pipes, or by undertakings producing steel pipes and tubes to distributive undertakings, may take place after prior notification to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfers may take place between undertakings established in different Member States.

5. The licence must specify whether they are OCTG tubes or other steel pipes or tubes.

6. Licences issued in one Member State of the Community shall be valid throughout the Community.

7. Member States shall ensure that appropriate penalties are applied in respect of all exports effected without production of the licence referred to in this Article and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of the abovementioned rules and of all penalties imposed in respect thereof, at intervals to be specified by the Commission.

8. The detailed rules for the application of this Regulation and the information to be supplied to the Commission concerning the licences and exports shall be laid down by the Commission.

Article 6

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3, including all

licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Regulation. The products shall be deemed to be exported on the date of acceptance, by the customs office of the Member State of export, of the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 5.

Article 7

1. Exports to the United States of products which are to be re-exported from the United States in the same form or without having been subject to substantial transformations shall be charged against the allocation of the Member State where the licence was issued. Upon production to the authorities of such Member State of proof of such re-exportation from the United States, the allocation of that Member State for the period within which such proof is presented shall be increased by the same amount.

Article 8

Cooperation between the Commission and the Member States for the application of this Regulation shall be subject to Article 11 of Regulation (EEC) No 1023/70.

Article 9

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1985.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 January 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

ANNEX I

LIST OF PRODUCTS

PIPES AND TUBES OTHER THAN OCTG				PIPES OCTG	
NIMEXE code	TS USA code	NIMEXE code	TS USA code	NIMEXE code	TS USA code
73.18-01	610.3000	73.19-10	610.4045	73.18-23 (*)	610.3216
73.18-05	610.3100	73.19-30	610.4055	73.18-24 (*)	610.3219
73.18-13	610.3205	73.19-50	610.4245	73.18-42	610.3233
73.18-15	610.3208	73.19-90	610.4255	73.18-67 (*)	610.3249
73.18-21	610.3209		610.4345	73.18-72 (*)	610.3252 (*)
73.18-22	610.3212		610.4355	84.23-25 (*)	610.3256
73.18-23 (*) (*)	610.3213		610.4500		610.3258 (*)
73.18-24 (*) (*)	610.3221		610.4600		610.3721
73.18-26 (*)	610.3227		610.4920		610.3722
73.18-27 (*)	610.3231		610.4925		610.3925
73.18-28 (*)	610.3234		610.4928		610.3935
73.18-32 (*)	610.3241		610.4931		610.4025
73.18-34 (*)	610.3242		610.4933		610.4035
73.18-36 (*)	610.3243		610.4936		610.4225
73.18-38	610.3252 (*)		610.4948		610.4235
73.18-41	610.3254		610.4951		610.4325
73.18-44	610.3258 (*)		610.4953		610.4335
73.18-46	610.3262		610.4955 (*)		610.4942
73.18-48	610.3264		610.4956 (*)		610.4944
73.18-51	610.3500		610.4957 (*)		610.4946
73.18-52	610.3600		610.4966 (*)		610.4954
73.18-54	610.3701		610.4967 (*)		610.4955 (*)
73.18-56 (*)	610.3704		610.4968 (*)		610.4956 (*)
73.18-58	610.3711		610.4969 (*)		610.4957 (*)
73.18-62 (*)	610.3712		610.4970 (*)		610.4966 (*)
73.18-64	610.3713		610.4976		610.4967 (*)
73.18-66	610.3727		610.5202		610.4968 (*)
73.18-67 (*)	610.3728		610.5204		610.4969 (*)
73.18-68	610.3731		610.5206		610.4970 (*)
73.18-72 (*) (*)	610.3732		610.5209		610.5221 (*)
73.18-74 (*)	610.3741		610.5211		610.5222
73.18-76	610.3742		610.5214		610.5226
73.18-78	610.3751		610.5216		610.5240
73.18-82 (*)	610.3945		610.5229		610.5242
73.18-84 (*)	610.3955		610.5230		610.5243
73.18-97			610.5231		610.5244 (*)
73.18-99			610.5234		
			610.5236		
			610.524292		
			610.524492		
(*) Plastic covered pipes and tubes for district heating systems covered by TS USA codes other than those indicated are excluded. (*) Excluded if OCTG.		(*) Excluded if OCTG.		(*) Covered if OCTG.	

*ANNEX II***United States customs territory and United States foreign trade zones**

The United States customs territory shall comprise the States, the district of Columbia and Puerto Rico.

A United States foreign zone shall be defined as follows :

It is an isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for lading, unlading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by laws or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon ; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone, in the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

*ANNEX III***Allocation among Member States**

	Member States	Proportion of US consumption
PIPES AND TUBES	Germany	2,82
	France	0,93
	Italy	2,00
	Netherlands	0,28
	Belgium	0,48
	Luxembourg	0,17
	United Kingdom	0,40
	Greece	0,52
	Denmark	0
	Ireland	0
OCTG	The allocation among the Member States will be decided on by the Council, acting by a qualified majority on a proposal from the Commission, before 31 January 1985.	

COMMISSION REGULATION (EEC) No 61/85

of 9 January 1985

on the monitoring by the Community of exports of steel tubes and pipes to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 60/85 of 9 January 1985 on the restriction of exports of steel tubes and pipes to the United States of America⁽¹⁾, and in particular Article 5 (8) thereof,

Whereas :

- (1) the application of the Arrangement concluded with the United States of America, hereinafter referred to as 'the Arrangement'⁽²⁾, particularly as regards the phasing of exports, makes it necessary to provide for fixed periods during which licences may be issued ;
- (2) to allow for optimum utilization of all the export opportunities provided for in the Arrangement, the licensing system should be designed so that the development of exports can be monitored as closely as possible ;
- (3) it is necessary to authorize the competent authorities of the Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the products originating in the Community and listed in Annex I, export licences as provided for in Article 5 of Regulation (EEC) No 60/85 shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities') subject to the conditions laid down in the abovementioned Article 5. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of these products, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

⁽¹⁾ See page 13 of this Official Journal.

⁽²⁾ See page 2 of this Official Journal.

2. Export certificates must be made out as follows :

- (a) each certificate may refer to only one licence or to only one extract from a licence ;
- (b) the words 'category 21 pipes and tubes other than OCTG' or, as appropriate, 'category 22 OCTG', as provided for in Annex I, should be inserted in box 5 of each certificate ;
- (c) the product description in box 5 of the copies of the certificates must include the NIMEXE codes ;
- (d) the quantity in tonnes must be indicated by means of a letter T after the figures representing the tonnes and before any fractions of tonnes ;
- (e) no more than one total may be indicated on each certificate ;
- (f) the stamp affixed by the customs office which accepted the export declaration must show legibly, on the original and the copies of the certificate, the name of the office and the date of acceptance ;
- (g) the number of each certificate must be indicated in box 13 of the licence or the extract of the licence to which the certificate refers.

3. The export licence must be issued within 15 working days of the day of receipt of the exporter's application. The licence may be issued only until the end of the second month of each calendar quarter.

4. The licence shall be valid for three months from the date of issue. However, each export licence shall be valid only for exports to be effected during the quota year indicated in box 4 of the licence.

Where, however, the Commission decides to apply Article 2 (3) of Regulation (EEC) No 60/85, and where supplementary allocations are made in cases of shortage, licences with a period of validity exceeding three months may be issued ; the words 'special issue' shall be entered on such licences and on the certificates relating thereto.

Article 2

At the request of the titular holder of the export licence and upon production of the licence, the competent authorities of the Member States may issue one or more extracts from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV. Extracts may not be used as a basis for issuing further extracts.

When an extract is issued, the quantities of products covered by the said extract shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 5 (4) of Regulation (EEC) No 60/85.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. Where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences or extracts from licences issued by the authorities of a Member State, as well as certificates, declarations and certifications accompanied by the stamp of these authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of these Member States as well as certificates, declarations and certifications accompanied by the stamp of these authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day following their complete use to the competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day following the expiry of their period of validity to the authority in the Member State which issued them.

Article 6

1. The original and the necessary copies of the export licences and of the certificate must be presented in support of the export declaration to the customs office in the Community in which formalities regarding exports of steel products to the United States of America are completed.

This office shall :

- (a) deduct the quantity to be exported from the original of the licence ;
- (b) endorse the original and copies of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep its own copy and send to the authority which issued the export licence and to the Commission the copies intended for them.

2. The copies of the certificates must reach the Commission within three working days following the week in which the abovementioned customs office endorsed them.

3. Where certificates are amended or cancelled with the authorization of the customs office which endorsed them, that office shall also forward copies of the amended or cancelled certificates to the authority which issued the export licence and to the Commission, within three working days following the week in which it authorized the amendment or the cancellation.

4. Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

Article 7

1. The licence application must include the following information :

- a description of the products, specifying the category and the NIMEXE code, in accordance with Annex I; however, the NIMEXE code is not required if the applicant declares that he wishes to transfer the requested licence, in which case the code must be given by the transferee,
- the quantity of products (in tonnes),
- the exporter's name or trade-name, address and telephone and telex numbers,
- the consignee's name or trade-name and address ; however, this information is not required if the applicant declares that he wishes to transfer the licence requested, in which case this information must be provided by the transferee,

- scheduled date(s) of export,
- where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having undergone substantial processing.

2. The exporter must declare that the goods are of Community origin and that the information on his licence application is accurate.

3. The issue of a licence pursuant to the third subparagraph of Article 5 (1) of Regulation (EEC) No 60/85 is subject to the submission of a copy of the contract of sale, except where the applicant declares that he wishes to transfer the requested licence, in which case the copy must be provided by the transferee.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences issued and certificates endorsed in this way shall bear the endorsement 'Duplicata' in red.

Article 9

1. Within the first 10 days of each month the Member States shall notify the Commission of:

- (a) the amounts in respect of which licences were issued during the preceding month;
- (b) the amounts exported in the month preceding that referred to in paragraph (a) above.

2. The notifications from the Member States shall include:

- (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph 1 (b), by NIMEXE code also;
- (b) a breakdown by licence-holder;
- (c) an indication of the amounts for each product to be temporarily imported into the United States of America for re-export in the same state or without having undergone substantial processing there.

3. Within the first 15 days of each month the Member States shall inform the Commission of the amounts in respect of which licences expired in the preceding month.

4. The Member States shall forward to the Commission, within eight days, a copy of each licence and any extracts once they have been issued.

They shall also forward a copy of each amended or cancelled licence and of amended or cancelled extracts as soon as they have been amended or cancelled.

5. Where the Commission ascertains that a Member State has issued licences in excess of its allocation for a specific category, it shall notify the State in question that such licences are in breach of the requirements in force and that the certificates issued on the basis of those licences cannot be considered as certificates within the meaning of Article 6 of the Arrangement.

6. At the same time as they submit the monthly notifications provided for in paragraph 1, the Member States shall send to the Commission all relevant information concerning infringements of Regulation (EEC) No 60/85 and of this Regulation and any penalties thereby imposed.

Article 10

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1985.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussel, 9 January 1985.

For the Commission

Karl-Heinz NARJES

Member of the Commission

ANNEX I

LIST OF PRODUCTS

Category 21 : Tubes and pipes other than OCTG				Category 22 : Tubes and pipes termed 'OCTG'	
NIMEXE code	TS USA code	NIMEXE code	TS USA code	NIMEXE code	TS USA code
73.18-01	610.3000	73.19-10	610.4045	73.18-23 (*)	610.3216
73.18-05	610.3100	73.19-30	610.4055	73.18-24 (*)	610.3219
73.18-13	610.3205	73.19-50	610.4245	73.18-42	610.3233
73.18-15	610.3208	73.19-90	610.4255	73.18-67 (*)	610.3249
73.18-21	610.3209		610.4345	73.18-72 (*)	610.3252 (*)
73.18-22	610.3212		610.4355	84.23-25 (*)	610.3256
73.18-23 (*) (*)	610.3213		610.4500		610.3258 (*)
73.18-24 (*) (*)	610.3221		610.4600		610.3721
73.18-26 (*)	610.3227		610.4920		610.3722
73.18-27 (*)	610.3231		610.4925		610.3925
73.18-28 (*)	610.3234		610.4928		610.3935
73.18-32 (*)	610.3241		610.4931		610.4025
73.18-34 (*)	610.3242		610.4933		610.4035
73.18-36 (*)	610.3243		610.4936		610.4225
73.18-38	610.3252 (*)		610.4948		610.4235
73.18-41	610.3254		610.4951		610.4325
73.18-44	610.3258 (*)		610.4953		610.4335
73.18-46	610.3262		610.4955 (*)		610.4942
73.18-48	610.3264		610.4956 (*)		610.4944
73.18-51	610.3500		610.4957 (*)		610.4946
73.18-52	610.3600		610.4966 (*)		610.4954
73.18-54	610.3701		610.4967 (*)		610.4955 (*)
73.18-56 (*)	610.3704		610.4968 (*)		610.4956 (*)
73.18-58	610.3711		610.4969 (*)		610.4957 (*)
73.18-62 (*)	610.3712		610.4970 (*)		610.4966 (*)
73.18-64	610.3713		610.4976		610.4967 (*)
73.18-66	610.3727		610.5202		610.4968 (*)
73.18-67 (*)	610.3728		610.5204		610.4969 (*)
73.18-68	610.3731		610.5206		610.4970 (*)
73.18-72 (*) (*)	610.3732		610.5209		610.5221 (*)
73.18-74 (*)	610.3741		610.5211		610.5222
73.18-76	610.3742		610.5214		610.5226
73.18-78	610.3751		610.5216		610.5240
73.18-82 (*)	610.3945		610.5229		610.5242
73.18-84 (*)	610.3955		610.5230		610.5243
73.18-97			610.5231		610.5244 (*)
73.18-99			610.5234		
			610.5236		
			610.524292		
			610.524492		
(*) Plastic covered pipes and tubes for district heating systems covered by TS USA codes other than those indicated are excluded. (*) Excluded if OCTG.		(*) Excluded if OCTG.		(*) Covered if OCTG.	

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / ORIGINAL	
2 EXTRACT of export licence no /		3 Period of validity from until included	
5 Licence transferred to (full name and address)		4 Quota year	
with effect from Signature: Stamp of competent authority:		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT	
		NOTE This licence and a certificate for the export of iron and steel products must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.	
7 Category and detailed description of iron and steel products		8 NIMEXE Codes	9 Quantity (metric tonnes)
10 Place of issue: Date of issue: Signature: Stamp of competent authority:		11 Period of validity extended until included Signature: Stamp of competent authority:	

12	Quantities (metric tonnes)	13	Customs export document (type, number and date) or extract (number and date)	14	Name, Member State, signature and stamp of attributing authority
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / COPY									
2 EXTRACT of export licence no /		3 Period of validity from <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> until <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included									
4 Quota year											
5 Licence transferred to (full name and address)		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT									
with effect from <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						NOTE This licence and a certificate for the export of iron and steel products must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.					
7 Category and detailed description of iron and steel products		8 NIMEXE Codes	9 Quantity (metric tonnes)								
10 Place of issue: Date of issue: <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						11 Period of validity extended until <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included Signature: Stamp of competent authority:					

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA NoORIGINAL
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)

NOTES

A. This certificate must be completed on a typewriter and in English.

B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.

C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3 ☐ to the extract shown in box no 4. *)

Customs export document: Signature: Stamp:

type:

number:

date:

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA	
	No	COPY
2 Consignee (full name and address)	3 Export licence No / issued in _____ (Member State)	
	4 Extract No / issued in _____ (Member State) of export licence No / issued in _____ (Member State)	
NOTES		

A. This certificate must be completed on a typewriter and in English.

B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.

C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3 ☐ to the extract shown in box no 4. *)

Stamp:

number:

date:

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

*ANNEX IV***Technical provisions relating to export licences, extracts thereof, and certificate forms**

1. Licences, extracts thereof and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract **thereof** and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper, dressed for writing, and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands and 'GB' for the United Kingdom.

For licences and certificates issued pursuant to this Regulation, the numbering used for the licences and certificates issued pursuant to Decision No 2873/82/ECSC must be continued, without any number being used a second time.

4. Licences, extracts thereof and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.
